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Attorney for Defendant Samantha Lee

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMANTHA LEE

Defendant.

Case No. 3:14-CR-00184(4)-JO

DECLARATION OF COUNSEL IN
SUPPORT OF MOTION TO CONTINUE
TRIAL DATE

I, Jacob Wieselmann, upon my oath declare and state:

1. I am counsel for Samantha Lee in the above-captioned case.
2. A jury trial is currently scheduled for July 15, 2014. Ms. Lee is currently not in custody while awaiting trial.
3. This is the first request for a continuance of trial requested by the defendant.
4. A continuance is sought so that the defense may complete independent investigation, conduct legal research, consult with expert witnesses, draft and file pretrial motions, consult further with the defendant, otherwise prepare for trial and exhaust all possibility for a negotiated resolution of the pending charges. The defense is still in the process of reviewing discovery received and it appears that discovery materials continue to be provided by the government. It is believed that the government will be providing additional discovery.

5. Ms. Lee is charged in a financial conspiracy. Discovery to date includes a significant number of bank records that have yet to be analyzed by the defense. It is the understanding of undersigned counsel that the government has additional discovery to produce.

6. Due to the ongoing nature of discovery, case investigation and preparation remains unfinished.

7. Ms. Lee understands that this motion will result in excludable delay under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv). She respectfully requests that the Court grant this motion.

8. The delay will be excludable pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv), because additional time is needed to complete independent investigation, conduct legal research, consult with expert witnesses, draft and file pretrial motions, consult further with the defendant, otherwise prepare for trial and exhaust all possibility for a negotiated resolution of the pending charges. The ends of justice are better served by the granting of the continuance and outweigh the best interests of the public and Ms. Lee in a speedier trial.

9. The government does not oppose this motion. Only co-defendant Rachel Lee opposes the continuance of trial now sought by this defendant

I HEREBY DECLARE THAT THE ABOVE STATEMENT IS TRUE TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT I UNDERSTAND IT TO BE MADE FOR USE AS EVIDENCE IN COURT AND SUBJECT TO PENALTY OF PERJURY.

Dated this 2nd day of July, 2014.

/s/ Jacob Wieselmann
Jacob Wieselmann, OSB 05100